

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 JAMES SCOTT ALVA,

4 Plaintiff

5 v.

6 LEW LEWISBURG USP, et al.,

7 Defendants

Case No.: 2:24-cv-00072-APG-DJA

**Order Accepting Report and  
Recommendation and Closing Case**

[ECF No. 13]

8 On January 27, 2025, Magistrate Judge Albregts recommended that this case be  
9 dismissed without prejudice because plaintiff James Alva did not file a complete application to  
10 proceed in forma pauperis by the given deadline and did not respond to Judge Albregts' order to  
11 show cause. ECF No. 13. Alva did not object. Thus, I am not obligated to conduct a de novo  
12 review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to  
13 "make a de novo determination of those portions of the report or specified proposed findings to  
14 which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)  
15 (en banc) ("the district judge must review the magistrate judge's findings and recommendations  
16 de novo *if objection is made*, but not otherwise" (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation  
18 (ECF No. 13) is accepted, and this case is dismissed without prejudice. The clerk of court is  
19 instructed to close this case.

20 DATED this 20th day of February, 2025.

21 

22 ANDREW P. GORDON  
23 CHIEF UNITED STATES DISTRICT JUDGE